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7 **UNITED STATES DISTRICT COURT**
8 **CENTRAL DISTRICT OF CALIFORNIA**

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10 PHILIPPE KELLY,
11 Petitioner,
12 v.
13 ELVIN VALENZUELA, Warden,
14 Respondent.
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Case No. CV 15-04976 SJO (AFM)

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28 **ORDER ACCEPTING FINDINGS
AND RECOMMENDATIONS OF
UNITED STATES MAGISTRATE
JUDGE**

Pursuant to 28 U.S.C. § 636, the Court has reviewed the Petition, records on file and the Report and Recommendation of United States Magistrate Judge. Further, the Court has engaged in a *de novo* review of those portions of the Report to which objections have been made. Petitioner's objections are overruled. The Court accepts the findings and recommendations of the Magistrate Judge.

IT THEREFORE IS ORDERED that (1) the Report and Recommendation of the Magistrate Judge is accepted and adopted; (2) Respondent's Motion to Dismiss the Petition as untimely is granted; and (3) Judgment shall be entered denying the Petition and dismissing the action with prejudice.

DATED: May 16, 2016

S. James Otero

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S. JAMES OTERO
UNITED STATES DISTRICT JUDGE